



City Commission Work Session

Agenda

August 13, 2026 @ 3:30 PM

City Hall Commission Chambers
401 S. Park Avenue

welcome

Agendas and all backup material supporting each agenda item are accessible via the city's website at cityofwinterpark.org/meetings/ and include virtual meeting instructions.

decorum

As a courtesy to those present, please silence your mobile devices. If you must take a phone call, please excuse yourself and step outside.

Members of the public shall observe the same rules of propriety, decorum and good conduct applicable to members of the Board. Persons making remarks or exhibiting behavior that disrupts the orderly conduct of this meeting will be subject to removal from the meeting.

assistance & appeals

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office ([407-599-3277](tel:407-599-3277)) at least 48 hours in advance of the meeting.

"If a person decides to appeal any decision made by the Board with respect to any matter considered at this hearing, a record of the proceedings is needed to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

please note

Times are projected and subject to change.

1. Meeting Called to Order**2. Discussion Item (s)**

- a. Micromobility Amendments to City Ordinance

2 hours

3. Adjournment



City Commission

agenda item 2.a

item type

Discussion Item (s)

meeting date

August 13, 2026

prepared by

Tim Volkerson, Police Chief

approved by

Randy Knight, City Manager

subject

Micromobility Amendments to City Ordinance

motion | recommendation**background**

Ordinance changes to address the growing use of micromobility devices on City streets, sidewalks and pathways.

alternatives | other considerations

- Transportation Advisory Board recommendations and questions.
- Recent OCPS (Orange County Public Schools) regulations pertaining to micromobility users.
- Regional municipality ordinances addressing micromobility.

fiscal impact**attachments**

1. Micromobility Ordinance (v2.1) DRAFT

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 98, "TRAFFIC AND VEHICLES," ARTICLE I, "IN GENERAL," TO AMEND SECTION 98-2 GOVERNING DEFINITIONS, TO AMEND SECTION 98-6 GOVERNING RIDING OF BICYCLES AND MOTORIZED SCOOTERS, TO AMEND SECTION 98-7 GOVERNING OBSTRUCTION OF STREETS AND SIDEWALKS BY BICYCLES AND MICROMOBILITY DEVICES, TO AMEND SECTION 98-8 GOVERNING MICROMOBILITY DEVICES, TO AMEND SECTION 98-9 GOVERNING ELECTRIC BICYCLES, AND TO AMEND SECTION 98-11 GOVERNING VIOLATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

WHEREAS, Section 316.008, Florida Statutes, states that local governments are authorized to implement reasonable regulations relating to streets and highways within their jurisdiction; and

WHEREAS, Section 316.20655, Florida Statutes, states that local governments are authorized to adopt ordinances governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under or within the local government's jurisdiction and restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, trail network, beach, or dune, including ordinances imposing minimum age requirements and requirements that a person operating an electric bicycle must possess a government-issued photographic identification; and

WHEREAS, Section 316.2128, Florida Statutes, states that local governments are authorized to adopt ordinances governing the operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction, including ordinances imposing minimum age requirements and requirements that a person operating a micromobility device or motorized scooter must possess a government-issued photographic identification; and

WHEREAS, Sections 316.20655 and 316.2128, Florida Statutes, both allow a local government to provide training on the safe operation of electric bicycles, motorized scooters, and micromobility devices; and

WHEREAS, the City desires to officially designate qualifying private e-bike and micromobility device safety courses as “City-approved educational programs” to promote safe and responsible operation of electric bicycles, motorized scooters, and micromobility devices within the municipal limits; and

WHEREAS, Section 316.1995, Florida Statutes, prohibits the operation of any vehicle other than by human power, except for certain enumerated exceptions such as electric bicycles and micromobility devices, upon any bicycle path, sidewalk, or sidewalk area; and

WHEREAS, the City Commission finds it necessary to clarify the distinction between electric bicycles and electric motorcycles as the latter are prohibited from operation on bicycle paths, sidewalks, and sidewalk areas by Florida law; and

WHEREAS, the City Commission finds that rental operation of motorized scooters and other micromobility devices within the City presents unique hazards to public health and safety, including such devices being left on sidewalks and other public walkways so as to become obstacles for pedestrian traffic, and that prohibition of such rentals within the City is in the best interest of the public health, safety, and welfare; and

WHEREAS, Florida courts have held that municipal prohibition of rental of motorized scooters and other micromobility devices is neither prohibited nor preempted by Florida law (*see Classy Cycles, Inc. v. Panama City Beach*, 301 So. 3d 1046 (Fla. 1st DCA 2019)); and

WHEREAS, the City Commission seeks to adopt an ordinance regulating the operation of bicycles, electric bicycles, motorized scooters, and micromobility devices, as those terms are defined herein and in the Winter Park City Code, within the City of Winter Park; and

WHEREAS, the City Commission of the City of Winter Park finds that this Ordinance is in the interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Winter Park, Florida, that:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

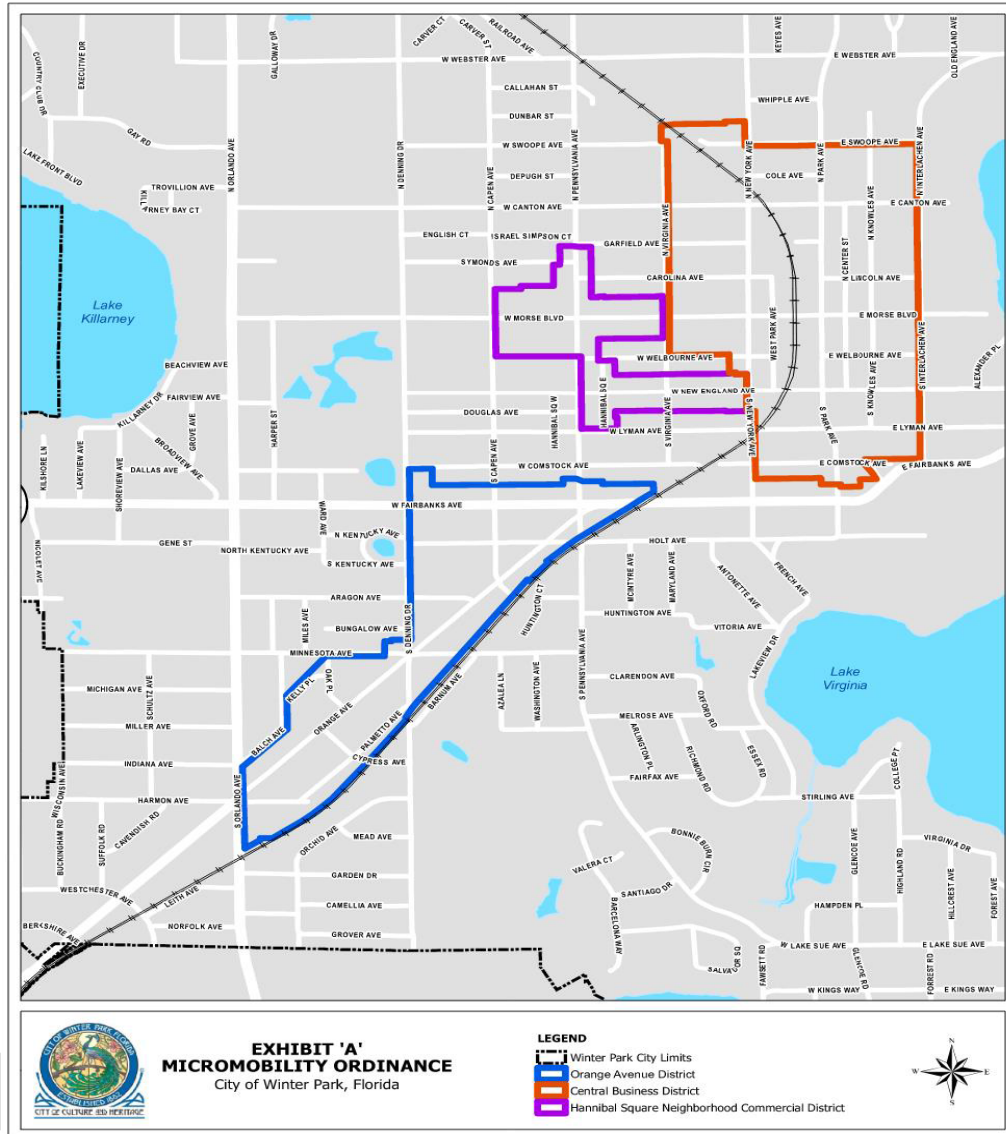
SECTION 2. City Code Amendment. Chapter 98, Article I of the City Code of Ordinances is hereby amended to amend Sections 98-2, 98-6, 98-7, 98-8, 98-9, and 98-11 as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 98-2. Definitions.

The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except when the context otherwise requires. Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in state law shall be deemed to apply to such words and phrases used in this chapter, except when the context otherwise requires.

Bicycle means every vehicle propelled solely by human power having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include an electric bicycle, motorized scooter or similar device.

Central business district shall have the same meaning as defined within the maps of the central business district adopted in the definitions section of the comprehensive plan of the city, article i, chapter 58 and is generally that part of the city bordered by Webster Avenue on the north, Interlachen Avenue on the east, Fairbanks Avenue on the south and New York Avenue on the west.



Commercial vehicle means every vehicle designed, maintained or used primarily for the transportation of property and which displays lettering thereon advertising the owner of the vehicle.

Electric Bicycle means any bicycle or tricycle equipped with fully operable pedals, a seat or saddle for use of the rider, and an electric motor of less than 750 watts. This definition includes all classes of electric bicycle under F.S. § 316.003(22). This definition does not include electric motorcycles, as that term is defined in this chapter. All electric bicycles fall into one of the following categories:

- (1) Class 1: an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

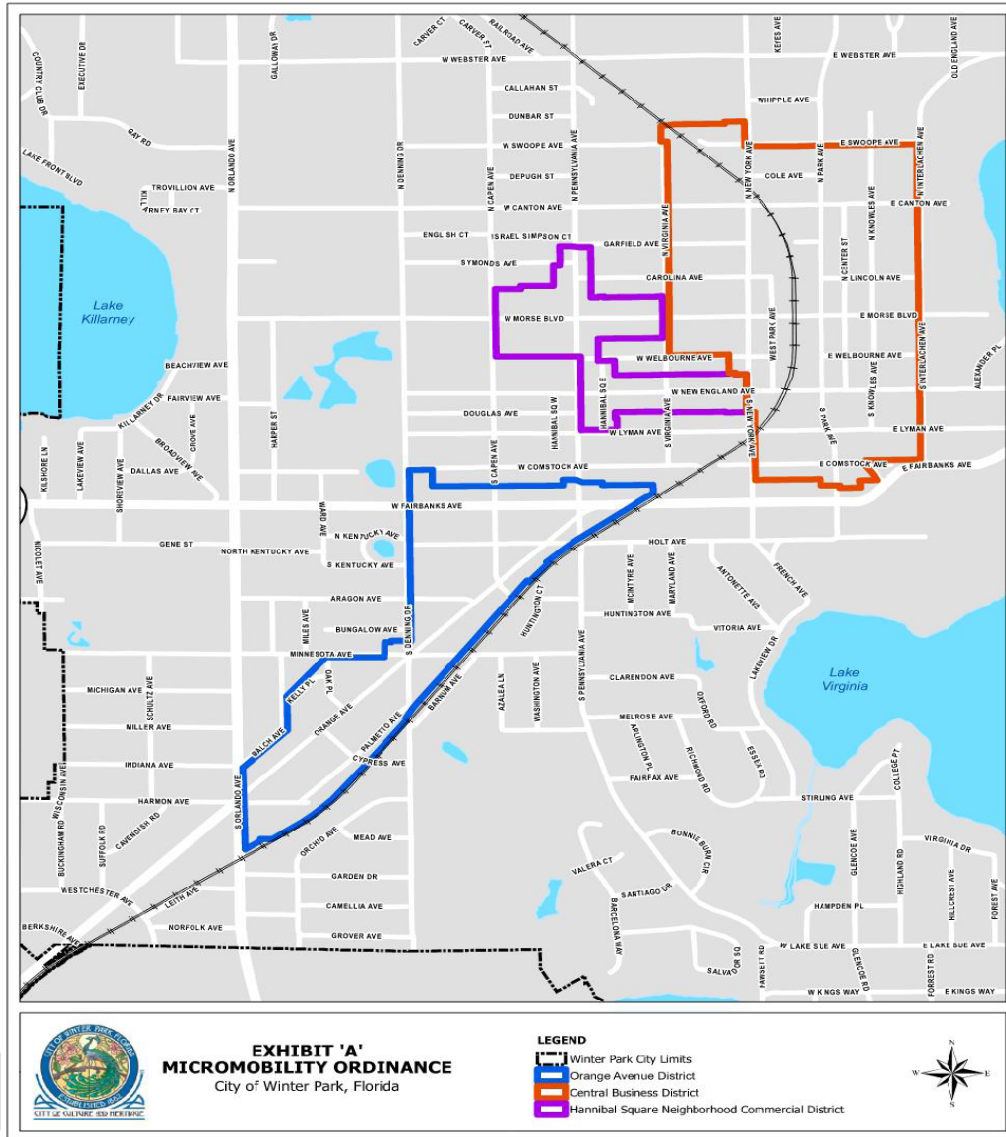
(2) Class 2: an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.

(3) Class 3: an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.

Electric motorcycle means any vehicle having a seat or saddle for use of the rider, designed to travel on not more than three wheels in contact with the ground which is powered by: (i) an electric motor of 750 watts or more or (ii) an electric motor capable of propelling the vehicle to a speed greater than 28 miles per hour. This definition includes all vehicles with electric motors that are commonly referred to as electric dirt bikes, mini-motorcycles, or similar labels regardless of whether such vehicle is designed for off-road use or street operations. Any such vehicle that lacks operational pedals capable of human-powered propulsion shall be presumed to be an electric motorcycle and subject to all restrictions applicable to such vehicles under this Code and Florida law.

Freight curb loading zone means a space adjacent to a curb for the exclusive use of commercial vehicles during the loading or unloading of freight.

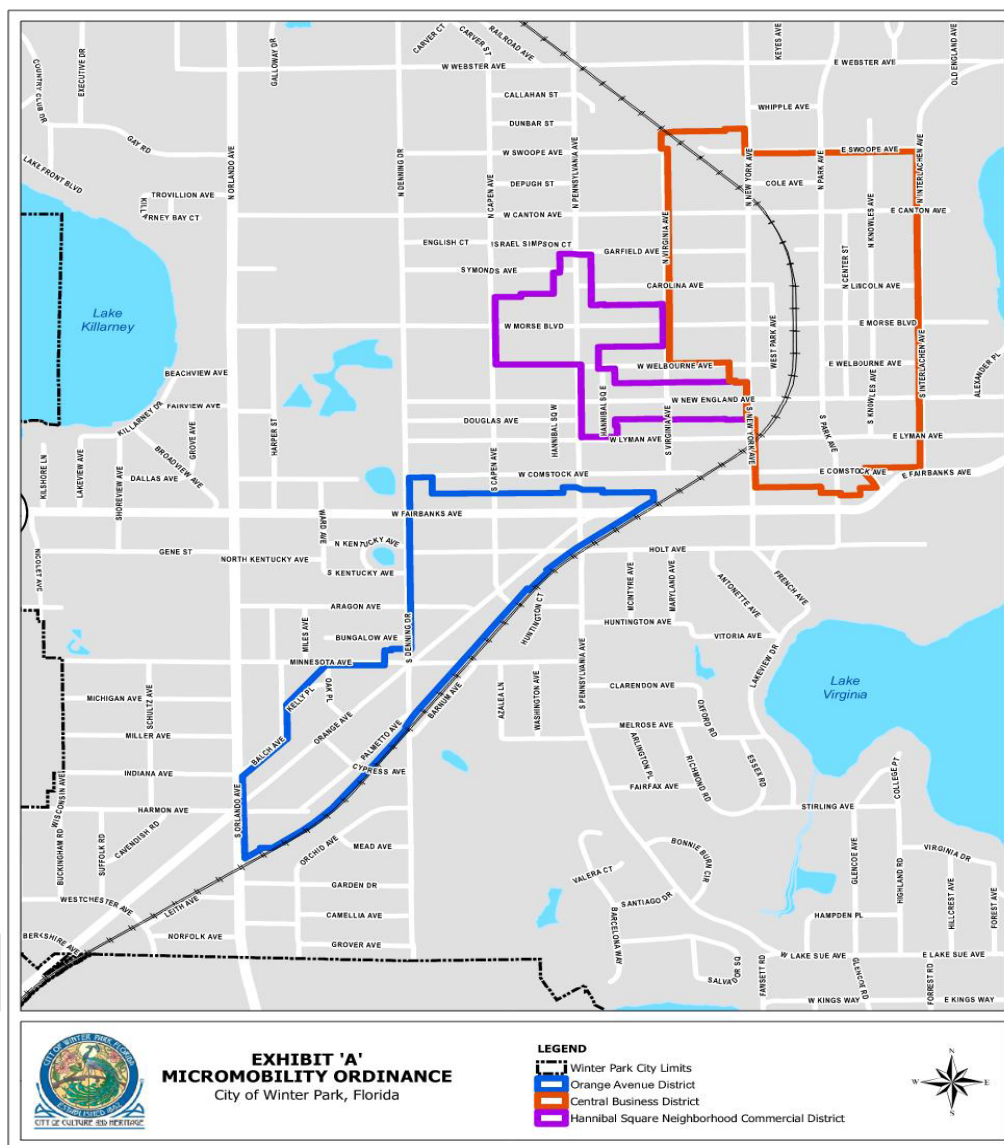
Hannibal Square Neighborhood Commercial District shall have the same meaning as defined within the maps of the Hannibal Square Neighborhood Commercial District adopted in the definitions section of the comprehensive plan of the City, article I, chapter 58 and is generally that part of the city fronting on New England Avenue, Hannibal Square, Morse Boulevard and Pennsylvania Avenue.



Motorized scooter means any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground as defined by F.S. § 316.003(45).

Micromobility device means any motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed of typically less than 15 miles per hour but no more than 28 miles per hour made available for private use by reservation through an online application, website, or software for point-to-point trips, and which is not capable of traveling at a speed greater than 20 miles per hour on level ground as defined by F.S. § 316.003(38). This term includes both a human-powered and nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet ~~motorized scooters and bicycles~~ as defined by F.S. § 316.003.

Orange Avenue District shall consist of the frontages along Orange Avenue between Orlando Avenue and Fairbanks Avenue as well as the frontages along Fairbanks Avenue between Denning Drive and the SunRail crossing east of Pennsylvania Avenue.



Parkway means that portion of a street not designated or intended for the use of pedestrians and located between the curb and the adjacent property lines or between the edge of pavement and the adjacent property lines where there is no curb or between the established vehicular traveled way and the adjacent property lines on unpaved streets.

Passenger curb loading zone means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Right-of-way means property owned or controlled by the city or other governmental entity over which the public has a right of passage, including, without limitation, the streets, parkways, paths, alleys, sidewalks, and driveways constructed thereon.

Sidewalk means that portion of a right-of-way between the curbline, or the lateral line, of a roadway and the adjacent property lines, that is improved for intended use by pedestrians or by bicycles in areas designated for bicycle use.

Stage or staging means the parking and/or placing of electric bicycles, micromobility devices or motorized scooters on a right-of-way, within a public park or on other public property for the purpose of advertising or displaying such micromobility devices to the general public for use or rental.

Traffic division means the traffic division of the police department or, if a traffic division is not established, the term shall be deemed to refer to the police department.

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Sec. 98-6. Bicycle, electric bicycle, ~~and~~ motorized scooter, and micromobility device riding.

- (a) Official bike paths may be used in lieu of city streets where available and so long as their use will not endanger the safety of pedestrians.
- (b) It shall be unlawful for any person to ride a bicycle, electric bicycle, ~~or~~ motorized scooter, or other micromobility device upon any sidewalk within the central business district, Hannibal Square Neighborhood Commercial District or Orange Avenue District.
- (c) It shall be unlawful to operate any bicycles, electric bicycles, ~~or~~ motorized scooters, or other micromobility device upon any sidewalk adjacent to or within any sidewalk cafe as defined by chapter 90, article VI.
- (d) It shall be unlawful to operate any bicycle, electric bicycle, or motorized scooter at a speed greater than ten (10) miles per hour on sidewalks, shared-use paths, multi-use trails, parks, or areas of heavy pedestrian traffic as designated by the City Manager by written designation. The operator of any bicycle, electric bicycle, motorized scooter, or any other micromobility device shall yield the right-of-way to any pedestrian and shall give an audible warning before overtaking and passing such pedestrian.
- (e) It shall be unlawful to operate an electric motorcycle on any sidewalk, sidewalk area, bicycle path, shared-use path, or multi-use trail within the city.
- (f) All operators of any electric bicycles, motorized scooters, or other micromobility devices shall carry government-issued photographic identification and shall present such identification upon lawful request of a law enforcement officer.
- (g) No person under 16 years of age may operate an electric bicycle, motorized scooter, or other micromobility device on any bicycle lane, bicycle path, right-of-way, road, sidewalk, or multi-use trail within the municipal limits of Winter Park without a City-issued card stating that such person has completed a City-approved educational program. The Winter Park Police Department shall be responsible for determining whether a particular private rider safety course meets the criteria for approval and for issuing cards to persons below the age of 16 who have completed all requirements.

Sec. 98-7. Bicycles, micromobility devices, electric bicycles, ~~and~~ motorized scooters, and electric motorcycles obstructing streets or sidewalks.

No person shall park, stage, abandon, or otherwise leave any bicycle, electric bicycle, micromobility device, ~~or motorized scooter, or electric motorcycle shall be parked, staged, abandoned or otherwise left~~ upon any street, right-of-way or sidewalk in such a manner as to obstruct traffic, either of vehicles or pedestrians; ~~or to obstruct any stopping or parking space; to block access to or from any building entrance, driveway, crosswalk, curb ramp, transit stop, fire hydrant, or emergency access point; or to create a hazard for persons with disabilities or to impair access required by the Americans with Disabilities Act.~~

Sec. 98-8. Rental of micromobility ~~Micromobility~~ devices prohibited.

Prohibition. It shall be unlawful to make available for private rental any micromobility device or operate any micromobility device made commercially available for private rental upon the roadways, sidewalks, bicycle paths or rights-of-way of the city unless expressly permitted by section 98-6. See definition of micromobility devices in section 98-2.

Sec. 98-9. Electric bicycles.

Electric bicycles must comply with all regulations under Florida law and this Code applicable to bicycles, including all helmet and safety equipment requirements.

Sec. 98-11. Violations.

- (a) The city is authorized to establish civil penalties for violations of this chapter pursuant to the "Schedule of City of Winter Park Service and User Fees and Charges" adopted by the city commission from time to time, and persons or entities in violation of this chapter or any part thereof shall be subject to such prescribed penalties. In addition, the city shall have the right to enforce this chapter or any portion thereof through any remedies available at law and in equity, including, without limitation, injunctive relief.
- (b) Citations issued under this Article may be appealed to the Code Compliance Board. The finding of the Code Compliance Board following such appeal shall be final.
- (c) The parents and legal guardians of minors in violation of this Article are responsible for the payment of fines incurred by such minors.
- (d) For a first violation of section 98-6, a violator will be given the option to complete a City-approved education course in lieu of paying a fine. A violator who does not provide proof of course completion within 30 days of the violation shall be required to pay the fine.
- (e) The following vehicles are subject to impoundment under this Article, as permitted by law and in conjunction with section 98-34, with the owner or responsible party bearing the cost of removal and storage in addition to any civil citation or fine:
 - (1) For a second or subsequent offense, any vehicle or device parked, staged, abandoned, or otherwise left upon any street, right-of-way, or sidewalk in violation of section 98-7.

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- (2) For a first or subsequent offense, any electric motorcycle operated on any sidewalk, sidewalk area, bicycle path, shared-use path, or multi-use path in violation of section 98-6.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. Conflicts. In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

SECTION 5. Codification. Sections 2 of this Ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, subsection number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or City Code may be freely made.

SECTION 6. Effective date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

FIRST READING: _____.

ADOPTED this ____ day of _____, 2026, by the City Commission of the City of Winter Park, Florida.

**CITY COMMISSION OF THE CITY OF
WINTER PARK, FLORIDA**

Mayor Sheila DeCiccio

ATTEST:

Kim Breland, Deputy City Clerk